

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6567 OF 2004

Infinity Electric Pvt.Ltd. .. Petitioner.

V/s.

Union of India & Others .. Respondents.

Mr.S.N. Kantawala with Mr.H.H. Dave for the petitioner.

Mr.B.A. Desai, additional solicitor general for Union of India.

Mr.B.N. Chakravarti, Manager (Law) for West Bengal essential commodities supply corporation.

**CORAM : S. RADHAKRISHNAN &
J.P. DEVADHAR, JJ.**

DATED : 10TH FEBRUARY, 2005.

P.C.

Heard the learned counsel for the parties.

2. The learned counsel for the petitioner submitted that in the present case the petitioner had purchased the goods in question on high seas sale basis from M/s.West Bengal Essential Commodities Supply Corporation Limited and on account of the failure on the part of the petitioner to pay the sale consideration, the petitioner has relinquished title of the goods in favour of West Bengal Essential Commodities Supply Corporation Limited. Mr.B.N.

Chakravarti, Manager (Law) of West Bengal Essential Commodities Supply Corporation Limited who is present in court states that the said West Bengal Essential Commodities Supply Corporation Limited is keen to lift the goods which is the subject matter of the present petition after paying all the requisite customs duty, warehousing charges as well as container charges and freight charges payable in respect thereof. He seeks two weeks time to clear the aforesaid goods.

3. As the petitioner submits that they have relinquished title to the goods and seeks leave to withdraw the petition, the petition is allowed to be withdrawn. Rule stands discharged with no order as to costs.

(S. RADHAKRISHNAN. J.)

(J.P. DEVADHAR, J.)